

MAINE STATE LEGISLATURE

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(New Title)
New Draft of: H. P. 518, L. D. 636

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1863

H. P. 1663

House of Representatives, June 7, 1977

Reported by a Majority from the Committee on Election Laws and printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Regulate Campaign Activities on Election Day.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 21 MRSA § 640 is enacted to read:

§ 640. Political activities during the registrar's office hours on election day

1. Activities on election day. When the registrar is holding office hours on election day, whether in the registrar's office or in another location, for the purposes designated in section 831, the activity described in this section is prohibited in or near the place in which the registrar is holding office hours.

2. Influence prohibited. In the room in which the registrar is holding office hours on election day or in any adjacent space in which persons are waiting to enter that room for a purpose designated in section 831, a person shall not influence or attempt to influence another as to his vote. A candidate may be present in that room or adjacent space on election day only for the purposes of providing transportation there for voters and of delivering absentee ballots or absentee ballot applications to the registrar and for any other purpose expressly permitted by law. A candidate shall not initiate oral or other communication with persons present for the purposes of section 831 and shall not attempt to influence their votes during the course of any oral communication. Any communication or contact by a candidate with a person present for the purposes of section 831, other than as expressly permitted by this subsection, shall be considered an attempt to influence such a person as to his vote. If a candidate or any other person influences or attempts to influence a person present for the purposes of section 831 as to his vote, the registrar shall have him removed from the premises.

3. Advertising. A person shall not display any advertising material or operate any advertising medium intended to influence the opinion of any voter within 250 feet of the entrance to the building in which the registrar is holding office. The term "advertising medium" includes any sound amplification device, including, but not limited to, sound tracks, loudspeakers and blowhorns.

This subsection does not prohibit a person, other than the registrar or an employee of the registrar, from wearing on his person any advertising material related to a candidate or question on the ballot.

This subsection does not apply to advertising material or media, other than sound amplification devices, on motor vehicles traveling to or from that building.

Sec. 2. 21 MRSA § 891, sub-§ 4, 1st sentence is amended to read:

Party workers and ~~others~~ other persons, except for candidates, may remain in the voting place outside the guardrail as long as they do not attempt to influence or interfere with the free passage of voters.

Sec. 3. 21 MRSA § 892, sub-§§ 2 and 3 are repealed and the following enacted in their place:

2. Influence prohibited. Within the voting place, a person shall not influence or attempt to influence another as to his vote. A candidate may be present at a voting place only for the purposes of voting, of transporting voters to and from the voting place and of delivering absentee ballots in municipalities where the clerk is at a voting place and for any other purpose expressly permitted by law. A candidate shall not initiate oral or other communication with persons present for the purpose of voting and shall not attempt to influence their votes during the course of any oral communication. Any communication or contact by a candidate with a person present for the purpose of voting, other than as expressly permitted by this subsection, shall be considered an attempt to influence such a person as to his vote. If a candidate or any other person influences or attempts to influence a person present for the purpose of voting as to his vote, the warden shall have him removed from the voting place.

At the voting place, a person shall not pass out stickers which are to be pasted on the ballot.

3. Advertising. A person shall not display any advertising material or operate any advertising medium intended to influence the opinion of any voter within 250 feet of the entrance to the voting place. The term "advertising medium" includes any sound amplification device, including, but not limited to, sound tracks, loudspeakers and blowhorns.

This subsection does not prohibit a person from passing out stickers outside the voting place which are to be pasted on the ballot at a primary election.

This subsection does not prohibit a person, other than an election official or a party worker present to observe the voting pursuant to section 891, subsection 4, from wearing on his person any advertising material related to a candidate or question on the ballot.

This subsection does not apply to advertising material or media, other than sound amplification devices on motor vehicles traveling to or from the voting place.

STATEMENT OF FACT

Section 1 of the new draft regulates political activity at places where the registrar is holding office hours on election day. The regulation is similar to the regulation of political activity at voting places, as that regulation is strengthened by this bill. Section 1 defines the activity which is permitted to a candidate who is present.

Sections 2 and 3 define and limit the activity permitted to a candidate at a voting place.